

G-23

BOX AF
RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3731

PATENT
Attorney Docket No. 101.0050-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 5055
Gary K. Michelson)	
Serial No.: 08/484,928)	Group Art Unit: 3731
Filed: June 7, 1995)	Examiner: D. Reip
For: FRUSTO-CONICAL INTERBODY)	
SPINAL FUSION IMPLANT)	

ENTER
JR 9/29/03

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL

In reply to the Final Office Action of February 24, 2003, the period for reply having been extended by a request for a three-month extension of time and fee filed herewith, and pursuant to 37 C.F.R. § 1.116, Applicant proposes that this application be amended as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 26 of this paper.

Amendment 8-25-03

Received from <7036799303> at 8/25/03 6:19:31 PM [Eastern Daylight Time]

FORM PTO-1083

1253

Attorney Docket No.: 101.0050-00000
Customer No. 22882

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DB

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MS AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated February 24, 2003 in the above-identified application.

- No additional fee is required.
 Applicant hereby requests a three-month extension of time to respond to the above office action.
 Request for Examination After Final Under 37 C.F.R. § 1.129(a) is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADDL FEE DUE
TOTAL CLAIMS FEE	171	-	183	**	LG=\$18 SM=\$0	\$ 216.00
INDEPENDENT CLAIMS FEE	10	-	10	***	LG=\$84 SM=\$42	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140
						TOTAL \$ 216.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- 09/23/2003 DBROOKS 00000002 01 FC:1253 A fee in the amount of \$1,896.00 (representing \$930 three-month extension fee, \$750 Request for Examination After Final fee, and \$216 additional claims fee) is to be charged to Deposit Account No. 50-1066.
- The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.
- Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
 MARTIN & FERRARO, LLP

By: 
 Thomas H. Martin
 Registration No. 34,383

Date: August 25, 2003

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